

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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APR 25 2016

Appeal from Clarendon County

SC SUPREME COURT

Steven H. John, Circuit Court Judge

DUSTIN EVANS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLANT CASE NO. 2015-002141

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF
CERTIORARI AND APPENDIX

Counsel respectfully requests a **final extension of thirty (30) days until May 25, 2016**, in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted

and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for rehearing in the case of The State v. Shawn Lee Wyatt with the Court of Appeals on April 20, 2016. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of James Clyde Dill v. The State of South Carolina in the Supreme Court on April 18, 2016. Counsel filed the consent motion to hold the appeal in abeyance and remand for resentencing in the case of The State v. Darrell Ervin Raines, Jr. with the Court of Appeals on April 7, 2016. Counsel filed the initial reply brief of appellant in the case of The State v. John Henry Lowery, II with the Court of Appeals on April 4, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Brown v. The State of South Carolina in the Supreme Court on March 25, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Landon T. Sanders v. The State of South Carolina in the Supreme Court on March 23, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Staggs v. The State of South Carolina in the Supreme Court on March 21, 2016. Counsel filed the petition for petitioner's return to state's motion to dismiss or in alternative to remand the case to general sessions in the case of Donald Roberts v. The State of South Carolina in the Supreme Court on March 17, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Taquan Brown with the Court of Appeals on March 14, 2016.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

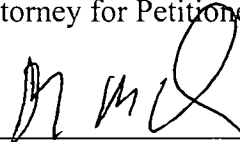
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until May 25, 2016**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



John H. Strom
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 25th day of April, 2016

I Consent:



Julie Coleman, Esquire